

MAR. 10. 2005 11:49AM 3175212883 ROCHE IP LAW DEPT

NO. 0791 P. 1

Application No. 09/733,565

Attorney docket: RDS 1037

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: MCNALLY, Alan J. *et al.*  
Serial No: 09/733,565  
Filed: December 8, 2000  
For: IMMUNOASSAY BASED ON DNA REPLICATION USING  
LABELED PRIMER  
Art Unit: 1637  
Examiner: Gary Benzion

RESPONSE TO TELEPHONE REQUEST

Gary Benzion  
US Patent Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

March 10, 2005

Dear Gary:

Attached is a copy of the Information Disclosure Statement filed by me on May 9, 2001, and the date-stamped return post card.

There has been no supplemental IDS or preliminary amendment filed in this case.

Yours truly,



Marilyn L. Amick  
Reg. No. 30,444

Customer No. 23690  
Phone: 317-521-7561  
Fax: 317-521-2883

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MAR 10 2005 NO. 0791 P. 2

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
RDID1037US

In Re Application Of: McNally, Alan J., et al.

Serial No. 09/733,565	Filing Date December 8, 2000	Examiner To Be Assigned	Group Art Unit 1645
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Title: IMMUNOASSAY BASED ON DNA REPLICATION USING LABELED PRIMER

Address to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

**37 CFR 1.97(b)**

1.  The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

**37 CFR 1.97(c)**

2.  The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:

1. a Final Action under 37 CFR 1.113, or
2. a Notice of Allowance under 37 CFR 1.311,

whichever occurs first.

Also submitted herewith is:

- a certification as specified in 37 CFR 1.97(e);

**OR**

- the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
 (Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
RDID1037US

In Re Application Of: McNally, Alan J., et al.

Serial No.  
09/733,565Filing Date  
December 8, 2000Examiner  
To Be AssignedGroup Art Unit  
1645

Title: IMMUNOASSAY BASED ON DNA REPLICATION USING LABELED PRIMER

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of \_\_\_\_\_ is attached.
- The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 02-2958 as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of \_\_\_\_\_
- Credit any overpayment.
- Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

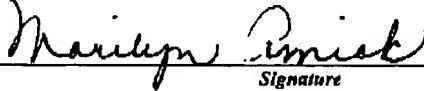
I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No.

\_\_\_\_\_  
(Date)

Signature

Typed or Printed Name of Person Signing Certificate

\*This certificate may only be used if paying by deposit account.

  
 Signature

Marilyn L. Amick, Reg. No. 30,444  
 Roche Diagnostics Corporation  
 9115 Hague Road  
 P.O. Box 50457  
 Indianapolis, IN 46250  
 Tel.: (317) 521-7561  
 Fax: (317) 521-2883

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on May 9, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
 Signature of Person Mailing Correspondence

Leah Robison

Typed or Printed Name of Person Mailing Correspondence

CC:

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NO. 0791 P. 4

SERIAL NO.

09/733.565

## **INFORMATION DISCLOSURE SECTION**

*(Use several sheets if necessary)*

**ATTY DOCKET NO.**

RDID1037L

1

McNally, Alan J., et al.

FILING

December 8, 2000

GROUP

1645

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
2	EP0816364A1	01/98	Europe	C07D	457/06		
3	JP3167474	07/91	Japan	G01N	33/543	✓	

**OTHER DOCUMENTS** (*Including Author, Title, Date, Pertinent Pages, Etc.*)

		4	J.C. Nicolas, et al., "Une Phase Solide Bioluminescente Pour Les Dosages Immunologiques et la Detection de Sondes Nucleiques" Ann. Biol. Clin., 1990, 48, 573-578

**\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.**

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**RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

THIS STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE AFFIXED HEREON WILL BE ACCEPTED AS EVIDENCE OF THE RECEIPT OF THE FOLLOWING:

Inventors: McNally, Alan J., et al.  
Serial No.: 09/733,565

Filing Date: December 8, 2000

Entitled: IMMUNOSSAY BASED ON DNA REPLICATION USING LABELED PRIMER  
Our Ref. No.: RDID1037US

Enclosures: Transmittal of Information Disclosure Statement (2pgs) page 2 in duplicate, Information Disclosure Citation (1pg), Copies of references listed therein, and return postcard

Mailed Via First Class Mailed on May 9, 2001

MA/r

